



- Application T-9752 proposes to add a authorized point of appropriation approximately 900 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
6 S	2 W	WM	36	NW SW	41	2700 FEET SOUTH AND 250 FEET EAST FROM THE NE CORNER OF SECTION 35

- Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
- Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right is present.
- The proposed change would not result in enlargement of the right.
- The proposed change would not result in injury to other water rights.

### Conclusions of Law

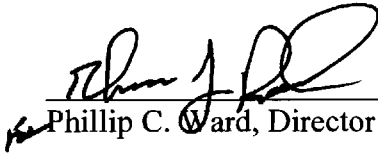
The additional point of appropriation proposed in application T-9752 is consistent with the requirements of ORS 537.705, 540.505 to 540.580, and OAR 690-380-5000.

### Now, therefore, it is ORDERED:

- The additional point of appropriation proposed in application T-9752 is approved.
- Water right certificate 55415 is cancelled. A new certificate will be issued describing that portion of the right not involved in this transfer.
- The right to use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 55415 and any related decree.
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- The proposed change shall be completed on or before October 1, 2006.
- A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
- The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

8. When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. When satisfactory proof of the completed change is received, a new certificate confirming this right transferred will be issued.

Dated at Salem, Oregon this 27<sup>th</sup> day of MARCH 2005.

  
Phillip C. Ward, Director

Mailing Date: APR 05 2005